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JS-6

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

ROBERT JACKSON, III,

Plaintiff,

v.

COUNTY OF SAN BERNARDINO
AND SGT. JOHN BANNES,

Defendants.

Case No. 5:13-CV-01650-JGB-DTB
*[Hon. Jesus G. Bernal, District Judge;
Magistrate Judge, David T. Bristow]*

JUDGMENT

Complaint Filed: Sept. 13, 2013
Final Pre-Trial Conf.: June 27, 2016
Trial Date: July 12, 2016

After a Jury Trial conducted on July 12, 13, 14, 15, 19, 20, and 21, 2016, the Jury has rendered a **Verdict in favor of defendants** Sgt. JOHN BANNES and COUNTY OF SAN BERNARDINO on all operative claims and causes of action brought by plaintiff against plaintiff ROBERT JACKSON III. Plaintiff ROBERT JACKSON III voluntarily dismissed all claims and/or causes of action not addressed in this Judgment prior to submission of the case to the jury.

In light of the foregoing, the Court hereby enters Judgment in this case as follows:

1 1. As to the First Claim for Relief – a claim for **Excessive Force pursuant to**
 2 **42 U.S.C. § 1983** in violation of the Fourth Amendment to the U.S. Constitution by
 3 plaintiff ROBERT JACKSON III against defendant JOHN BANNES – the Court
 4 hereby enters **Judgment in favor of the defendant** on this cause of action and all
 5 claims therein. Accordingly, plaintiff shall recover nothing as to this claim.

6 2. As to the Third Claim for Relief – a claim for **Battery/Unreasonable**
 7 **Force pursuant to California law** (including Cal. Gov. Code § 820) by plaintiff
 8 ROBERT JACKSON III against defendant JOHN BANNES and (vicariously) against
 9 defendant COUNTY OF SAN BERNARDINO – the Court hereby enters **Judgment in**
 10 **favor of the defendants** on this cause of action and all claims therein. Accordingly,
 11 plaintiff shall recover nothing from any of the defendants as to this claim.

12 3. As to the Fourth Claim for Relief – a claim for **Negligence in Use of**
 13 **Force¹ pursuant to California law** (including Cal. Gov. Code §§ 815.2 and 820) by
 14 plaintiff ROBERT JACKSON III against defendant JOHN BANNES and (vicariously)
 15 against defendant COUNTY OF SAN BERNARDINO – the Court hereby enters
 16 **Judgment in favor of the defendants** on this cause of action and all claims therein.
 17 Accordingly, plaintiff shall recover nothing from any of the defendants as to this claim.

18 4. In light of the foregoing, the **Court hereby Orders that JUDGMENT**
 19 **shall be entered for all of the defendants in this action, and against the plaintiff, on**
 20 **all of the plaintiff's claims and causes of action in this civil action.**

21 5. The Court further Orders that defendants shall be permitted to recover
 22 their costs against plaintiff ROBERT JACKSON III.

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 27 ¹ In a hearing before the Court on July 18, 2016, plaintiff clarified that plaintiff was no longer
 28 alleging a claim for Negligence in Pre-Force Tactics. The Court thus treats such Negligent Tactics
 claim as voluntarily dismissed with prejudice.

1 6. In light of the foregoing, except to retain jurisdiction to enforce this
2 Judgment or other Order of this Court made in this action, and to rule upon an
3 application for costs, the Court hereby DISMISSES WITH PREJUDICE the entire
4 action, and all claims and causes of action therein.

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6 DATED: August 10, 2016

**UNITED STATES DISTRICT COURT,
CENTRAL DISTRICT OF CALIFORNIA**

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9 By: 

Hon. Jesus G. Bernal,
UNITED STATES DISTRICT JUDGE

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